

November 13, the Kentucky Democratic Party moved to intervene in this action in order to protect Kentucky voters and their rights that have been placed at risk. [R. 59.] However, due to the untimely nature and prejudicial effects, the Court denied the motion on January 3, 2020. [R. 71.] This Court held its first hearing on December 18, 2019 to hear oral argument from the parties, including former Secretary Grimes, in regard to the pending Motion to Modify and Enforce the Consent Judgment. [R. 68.]

Following the hearing, there was a change of administration that included the transition of the current Secretary of State. In light of this change, the Court ordered the new Secretary of State, Michael Adams, to file a status report in regard to his position on the pending matter and update the Court on the status of compliance under the Consent Judgment. [R. 74.] In his status report filed on July 15, 2020, Secretary Adams stated that he “will work with the parties to this action, and anyone else, to ensure compliance with federal and state law.” [R. 78 at 2.] In support, Secretary Adams recommends the SBE mark voters who are sent Section 8(d)(2) notices within the Voter Registration System at the time of mailing the notice. *Id.* at 1–2. He also includes his recent agreement with Governor Andy Beshear in regard to the June 23 election, as incorporated by an emergency regulation promulgated by the SBE to implement the agreement. [R. 78-1.] This agreement portrays that “in addition to compliance with the Consent Judgment, the Commonwealth now is taking proactive steps to get its voter rolls as clean as possible in advance of the earliest NVRA-permissible purgation following the November 2022 election.” [R. 78 at 1-2.]

Given the changed circumstances and Secretary Adams’ differing opinions compared to former Secretary Grimes, the Court held another hearing on the pending Motion to Modify and Enforce the Consent Judgment in order to allow Secretary Adams to present his position in